

FILED

JUN 30 2008

CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
BY *TH* DEPUTY

UNITED STATES OF AMERICA

SOUTHERN DISTRICT OF CALIFORNIA

'08 MJ 8582

UNITED STATES OF AMERICA,

) Magistrate Case No.:

Plaintiff,

) COMPLAINT FOR VIOLATION OF:

v.

Juan Jose RAMIREZ Lopez

) Title 8, U.S.C., Sec., 1326

Defendant.

) Attempted Entry After Deportation

The undersigned complainant, being duly sworn, states:

On June 27, 2008, within the Southern District of California, the defendant Juan Jose RAMIREZ Lopez, an alien, who previously had been excluded, deported and removed from the United States to Mexico, attempted to enter the United States with the purpose, i.e., conscious desire, to enter the United States at the Calexico Port of Entry without the Attorney General of the United States or his designated successor, the Secretary of the Department of Homeland Security (Title 6, United States Code, Sections 202(3) and (4), and 557), having expressly consented to the defendant's reapplication for admission into the United States; in violation of Title 8, United States Code, Section 1326.

And the complainant states that this complaint is based on the attached statement of facts which is incorporated herein by reference.

[Signature]
JOSE L. BOLANOS

CBP ENFORCEMENT OFFICER

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS 30TH DAY
OF JUNE 2008.

[Signature]
PETER C. LEWIS

UNITED STATES MAGISTRATE JUDGE

1 UNITED STATES OF AMERICA

v.

2 Juan Jose RAMIREZ Lopez

3
4 **Probable Cause Statement**

5 I, Customs Border Protection Enforcement Officer Jose L. Bolanos,
6 declare under penalty of perjury, the following is true and
7 correct:

8 On June 27, 2008, at approximately 4:39 P.M., a male
9 individual, later identified as Juan Jose RAMIREZ Lopez
10 (Defendant), attempted to enter the United States from Mexico at
11 the Calexico West Port of Entry, via pedestrian primary.
12 Defendant presented an I-551 Permanent Resident card bearing the
13 name of Andres CABANILLAS as his entry document to Customs and
14 Border Protection (CBP) Officer Burgeno. Defendant told CBP
15 Officer Burgeno he was going to Calexico. CBP Officer Burgeno
16 believed defendant was an imposter because he did not resemble
17 the individual depicted in the I-551 he had presented.
18 Consequently, defendant attempted to abscond back to Mexico and
19 was apprehended by CBP Officer Bello. CBP Officer Bello and
20 Burgeno escorted the defendant to pedestrian secondary office for
21 further inspection.

22 During secondary inspection, Defendant admitted to CBP
23 Enforcement Officer Haywood he is a citizen and native of
24 Mexico. Defendant further admitted he was previously deported
25 from the United States a month ago after serving a three year
26 prison term. Defendant admitted he had obtained the document in
27 Mexicali, Mexico and was to pay \$1000.00 if he had enter the
28 U.S. successfully. Defendant attempted to enter the United
States from Mexico by being an imposter to a Permanent Resident
card, and he has not applied for, nor received, permission to
legally re-enter the United States.

1 UNITED STATES OF AMERICA

2 v.

3 Juan Jose RAMIREZ Lopez

4 Immigration service records indicate no evidence that
5 defendant has applied for, nor received permission from the
6 Attorney General of the United States, or his designated
7 successor, the Secretary of the Department of Homeland Security
8 to legally re-enter the United States.

9 //

10 //

11 //

12 //

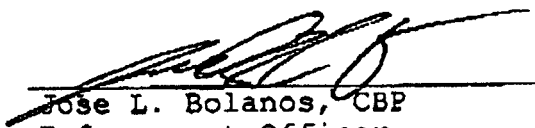
13 //

14 //

15 //

16 //

17 Executed on June 28, 2008, at approximately 2:30 P.M.

18 
19 Jose L. Bolanos, CBP
20 Enforcement Officer

21 On the basis of the facts presented in the probable cause
22 statement consisting of two pages, I find probable cause to
23 believe that the defendant named in this probable cause
24 statement committed the offense on June 27, 2008 in the
25 violation of Title 8, United States Code, § 1326.

26 
27 Barbara L. Major
28 United States Magistrate Judge

6/28/08 at 2:53 PM
Date and Time